

REMARKS

Applicants respectfully request reconsideration of this application. Claims 1, 23, 30, 42-44, 46, 50, 53-56, and 58 have been amended. No claims have been cancelled. Claims 61-64 have been added. Therefore, claims 1-8, 10-16, 18-35, 37-59, and 61-64 are pending.

Rejections Under 35 U.S.C. §101

Claims 42-59 were rejected under 35 U.S.C. 101 as being directed towards non-statutory subject matter. Specifically, independent claims 42 and 53 were rejected as not being limited to tangible embodiments. Claims 42 and 53 both recite “a machine readable medium storing instructions.” Examiner asserts that Applicants’ disclosure is not limited to tangible embodiments because the specification defines a machine-readable medium as including intangible embodiments such as electrical, optical, acoustical, or other form of propagating signals. Applicants respectfully traverse.

First, the specification states, “...any kind of machine readable medium including, for example, magnetic media such as disk drives and magnetic tape; optical drives such as compact disk read only memory (CD-ROM) and readable and writeable compact disks (CD-RW); stick and card memory devices; ROM, RAM, flash memory devices and the like; whether... accessible via electrical, optical, acoustical or other form of propagated signals (e.g., carrier waves, infrared signals, digital signals, etc.).” Therefore, the specification does not define a machine readable medium as including intangibles.

Second, a machine readable medium which stores instructions is tangible by definition. A medium is “an intervening substance through which something is transmitted or carried on.” (Wester’s II, New College Dictionary, 1999). Therefore, a machine-readable medium which stores instructions is, by definition, an intervening substance, and therefore tangible.

Therefore, claims 42 and 53 are directed towards statutory subject matter. Claims 43-52 and 54-59 depend, directly or indirectly, from one of the foregoing independent claims. Therefore, claims 43-52 and 54-59 are also directed towards statutory subject matter. Therefore, Applicants respectfully request withdrawal of the rejection to claims 42-59 under § 101.

Rejections Under 35 U.S.C. §102

Claims 1-8, 10-16, 20-35, 39-47 and 50-59 were rejected under 35 U.S.C. 102(b) as being anticipated by *Gill* et al., U.S. Patent No. 6,081,262 ("*Gill*"). Applicants respectfully submit that *Gill* does not anticipate the present claims.

Examiner asserts that, since the media objects of *Gill* are part of the multimedia presentation and the media objects are able to be translated and rotated, therefore the presentation is also able to be translated and rotated. Applicants respectfully traverse.

Logically, because an object in a set has a property, it does not necessarily follow that the entire set has that property. Therefore, because a media object in a presentation is able to be translated and rotated, it does not necessarily follow that the entire presentation is able to be translated and rotated.

The Examiner's position that claim language such as "wherein" does not narrow the claims is clearly improper. The wherein clause is not in the preamble and thus it does act as a limitation on the claim.

To further prosecution, Applicants have amended claim 1 to recite the limitation of: "processing a request to add at least two media objects to the virtual reality scene, said processing including associating each media object with a series of views of the object from various orientations and locations in three dimensional space." *Gill* does not disclose or suggest this limitation.

First, *Gill* does not disclose or suggest a virtual reality scene. Rather, *Gill* discloses a two-dimensional multi-media presentation. *Gill* states, "The multi-media presentation generation system uses a multi-media authoring tool extension of a page based print document layout system to combine media objects of multiple diverse types

into an integrated multi-media presentation.... the familiar print media page layout environment is extended to encompass multi-media presentations.” (Gill, col. 3, lines 10-14, 31-33). Gill also states, “This page based document layout system partitions document pages, as defined by the author, into a plurality of objects (also termed boxes and lines), each of which is independently editable by the author.” (Gill, col. 3, lines 37-40). Gill further states that “[t]he objects have both a position (locus) on the document page and an extent in the two dimensional space of the document page.” (Gill, col. 7, lines 36-38). Therefore, the presentation of Gill is a partitioned document, not a virtual reality scene.

Second, Gill does not disclose or suggest that processing a request to add at least two media objects to the presentation includes associating each media object with a series of views of each object from various orientations and locations in three dimensional space.

Rather, in Gill, the page based document layout system functions to define the basic workspace for the user into which the plurality of media objects are imported. (Gill, col. 5, lines 26 to 28). When an imported object is added to a presentation in Gill, the imported object is not associated with a series of views of the object from various orientations and locations in three dimensional space. The imported object in Gill may be altered, e.g. by framing, rotating, skewing, resizing, and cropping the object, as suggested by the Examiner. However, framing, rotating, skewing, resizing, and cropping only change properties of a single view of an imported object; it does not associate the imported object with a series of views of the object from various orientations and location in three dimensional space. Therefore, in Gill, an object is imported into a presentation and possibly edited, but Gill does not disclose suggest that processing a request to add an object to a presentation includes associating the object with a series of views of the object from various orientations and locations in three dimensional space.

Therefore, Gill does not disclose or suggest the limitation of “processing a request to add at least two media objects to the virtual reality scene, said processing

including associating each media object with a series of views of the object from various orientations and locations in three dimensional space.”

Therefore, *Gill* fails to teach or suggest all the limitations of claim 1. Therefore, *Gill* fails to anticipate independent claim 1. Independent claims 23, 30, 42, and 53 each have a similar limitation. Accordingly, *Gill* also fails to anticipate independent claims 23, 30, 42 and 53 for at least the foregoing reasons. The remaining claims depend, directly or indirectly, on one of the foregoing independent claims. Therefore, *Gill* also fails to anticipate the dependent claims, for at least the foregoing reasons. Withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 18-19, 37-38 and 48-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Gill* in view of U.S. Patent No. 5,724,106 to *Autry*, et al. (“*Autry*”). Applicants respectfully submit that the present claims are patentable over *Gill* and *Autry*. The cited references do not teach or render obvious, either individually or in combination, all of the elements of Applicants’ claims.

As discussed above, *Gill* does not teach or suggest the limitation of independent claims 1, 30 and 42 directed towards “processing a request to add at least two media objects to the virtual reality scene, said processing including associating each media object with a series of views of the object from various orientations and locations in three dimensional space”. Applicants respectfully submit that *Autry* also does not teach or suggest the claimed limitation missing in *Gill*.

Autry is directed, instead, towards a hand held remote control device used to control a cursor displayed on a monitor as part of a graphical user interface into a home entertainment system.

Therefore, neither *Gill*, nor *Autry*, nor the combination thereof teach or suggest the claimed limitations of independent claims 1, 30 and 42, and therefore do not teach or suggest the claimed limitations of dependent claims 18-19, 37-38 and 48-49.

Accordingly, Applicants respectfully request withdrawal of the rejection of claims 18-19, 37-38 and 48-49 under 35 U.S.C. § 103(a).

CONCLUSION

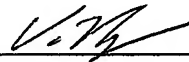
Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call James Scheller at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 11/22/05



Van N. Nguy
Reg. No. 55,851

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300